



PATENT
Customer No.: 22,852
Attorney Docket No.: 08203.0005-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
John BUTLER et al.) Group Art Unit: 3733
Application No.: 10/635,017) Examiner: A. Ramana
Filed: August 6, 2003) Confirmation No.: 7577
For: WOUND RETRACTOR)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Atropos Limited, duly organized under the laws of Ireland and having its principal place of business at Unit 4, Sunnybank Centre, Bray, County Wicklow, Ireland, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the instant application, U.S. Application No. 10/635,017, filed August 6, 2003, for Wound Retractor in the names of John BUTLER, Frank BONADIO, Michael MULHALL, and Ronan Bernard MCMANUS, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 014847, Frame 0276 on December 23, 2003. Assignee, Atropos Limited, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Nos. 6,254,534 and 6,582,364, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 011746, Frame 0209 on April 17, 2001.

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Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,254,534. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,254,534 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,254,534, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,254,534 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,582,364. Assignee hereby agrees that any patent so granted on the instant

application shall be enforceable only for and during such period that it and U.S. Patent No. 6,582,364 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of U.S. Patent No. 6,582,364, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,582,364 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer. If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 18, 2007

By: 

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